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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/738,475	12/17/2003	Sachin Govind Deshpande	10237.29	8213
65400	7590	12/13/2007		
KIRTON & MCCONKIE 1800 EAGLE GATE TOWER / 60 EAST SOUTH TEMPLE P.O. BOX 45120 SALT LAKE CITY, UT 84145-0120			EXAMINER DANIELS, ANTHONY J	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 12/13/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/738,475	<b>Applicant(s)</b> DESHPANDE, SACHIN GOVIND	
	<b>Examiner</b> Anthony J. Daniels	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 October 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 32-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 32-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/12/2007 has been entered.

### ***Response to Arguments***

1. Applicant's arguments with respect to the independent claims and the cited references have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 32,33,51 and 52 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohi et al. (US # 7,113,971) in view of Tanaka et al. (US 2006/0008175) and further in view of Zintel et al. (US 2002/0029256).

As to claim 32, Ohi et al. teaches a method for remotely controlling a remote video camera, the method comprising: using a remote video camera that is configured to provide a real-time video service (Figure 11, video camera “113”; Col. 9, Lines 57 and 58; Col. 10, Lines 10-13, “...live video images being obtained...”); receiving a video service description of the real-time video service that is provided by the remote video camera (Figure 15, “Welcome to Camera View of Mt. Fuji enjoy current View of Mt. Fuji”); and remotely controlling an action of the video service through an action service description (Col. 9, Line 61 – Col. 10, Line 5). The claim differs from Ohi et al. in that it further requires that a control point is used to discover the remote video camera, the video service and the action service are UPnP services, and the action service description comprises an XML service description.

In the same field of endeavor, Tanaka et al. teaches a video image transfer system wherein video images are transmitted from a camera to a client via the Internet. The video cameras connect to the network using UPnP protocol ([0152]-[0154]). In light of the teaching of Tanaka et al., it would have been obvious to one of ordinary skill in the art to connect the camera and client of Ohi et al. via UPnP protocol, because an artisan of ordinary skill in the art would recognize that UPnP protocol provides a seamless connection and simplification of network connectivity.

Further in the same field of endeavor, Zintel et al. teaches the use of a UPnP-connected system wherein a client browser can remotely control a camera (i.e. adjust contrast or zoom) through the use of XML mechanism ([0536]). In light of the teaching of Zintel et al. it would have been obvious to one of ordinary skill in the art to remotely control the actions of the system of Ohi et al., as modified by Tanaka et al., through the use of an XML mechanism, because an

artisan of ordinary skill in the art would recognize that the advantages of compatibility and ease-of-use offered by XML.

As to claim **33**, Ohi et al., as modified by Tanaka et al. and Zintel et al., teaches a method as recited in claim 32, wherein using a control point to discover a remote video camera utilizes a UPnP protocol (see Tanaka et al., [0152] - [0154]).

As to claim **51** and **52**, claims 51 and 52 are computer readable medium claims substantially corresponding to the method claims 32 and 33. Therefore, claims 51 and 52 are rejected as previously discussed with respect to claims 51 and 52.

2. Claims 34-50 and 53-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohi et al. (US # 7,113,971) in view of Tanaka et al. (US 2006/0008175) in view of Zintel et al. (US 2002/0029256) in view of Naidoo et al. (US # 6,690,411) and further in view of Driscoll Jr. (US # 6,583,815).

Claims 48,49 and 61 will be discussed first.

As to claim **48**, Ohi et al., as modified by Tanaka et al. and Zintel et al., teaches a method as recited in claim 32, wherein the action corresponds to: (i) a zoom setting of the remote video input device; (ii) a pan setting of the remote video input device; (iii) a tilt setting of the remote video input device and (v) a status setting of the remote video input device (see Ohi et al., Col. 9, Line 61 – Col. 10, Line 5). The claim differs from Ohi et al., as modified by Tanaka et al. and Zintel et al. in that it further requires that action corresponds to (iv) a focus setting of the remote video input device, (vi) a brightness setting of the remote video input device; (vii) a contrast

setting of the remote video input device; (viii) a hue setting of the remote video input device; and (ix) a saturation setting of the remote video input device.

In the same field of endeavor, Driscoll Jr. et al. teaches panoramic video image system (Figure 13A) wherein a remote video input device (Figure 13A, CCD camera "1205" and computer system "1200") provides streaming video over a network to a client (Col. 10, Lines 37-Col. 11, Line 4). Using a GUI (graphical user interface) (Figure 13B), the client controls the remote video input unit by providing instructions to adjust image parameters. The parameters include image contrast and tint (Col. 11, Lines 13-39; *{Adjusting the tint of an image indirectly adjusts the hue and saturation of that image.}*). In light of the teaching of Driscoll Jr. et al., it would have been obvious to one of ordinary skill in the art to include the ability to adjust the image parameters of brightness, contrast and tint in the system of Tanaka et al., as modified by Fukusawa et al., because an artisan of ordinary skill in the art would recognize that this would allow the user adjust the image quality to his/her liking.

In the same field of endeavor, Naidoo et al. teaches a remote surveillance system wherein a base station including a video camera provides images over a network to a remote user (Figure 1; Col. 6, Line 58 - Col. 7, Line 2). Camera settings, including pan, tilt and focus, can be controlled by the remote user (Col. 9, Lines 1-8). In light of the teaching of Naidoo et al., it would have been obvious to one of ordinary skill in the art to include the ability to adjust focus in the system of Tanaka et al., as modified by Fukusawa et al., because an artisan of ordinary skill in the art would recognize that this would allow a user to properly view the surveyed area.

As to claim 49, Ohi et al., as modified by Tanaka et al. and Zintel et al., teaches a method as recited in claim 32, wherein the action comprises: (i) querying a current zoom setting of the

remote video input device; (ii) establishing a zoom setting for the remote video input device; (iii) querying a current pan setting of the remote video input device; (iv) establishing a pan setting for the remote video input device; (v) querying a current tilt setting of the remote video input device; (vi) establishing a tilt setting for the remote video input device; (vii) querying a current focus setting of the remote video input device; (viii) establishing a focus setting for the remote video input device; (ix) querying a current status setting of the remote video input device; (x) establishing a status setting for the remote video input device; (xi) querying a current brightness setting of the remote video input device; (xii) establishing a brightness setting for the remote video input device; (xiii) querying a current contrast setting of the remote video input device; (xiv) establishing a contrast setting for the remote video input device; (xv) querying a current hue setting of the remote video input device; (xvi) establishing a hue setting for the remote video input device; (xvii) querying a current saturation setting of the remote video input device; and (xviii) establishing a saturation setting for the remote video input device.

*Regarding claim 49, the examiner interprets the querying of the respect actions as visiting the web address in Ohi et al., accessing the GUI in Driscoll Jr. et al. and accessing the remote surveillance site in Naidoo et al. Furthermore, the establishment of those actions can be clearly seen in the cited portions of the references.*

As to claim 61, Ohi et al., as modified by Tanaka et al. and Zintel et al., teaches a method as recited in claim 60, wherein using a control point to discover a remote video camera utilizes a UPnP protocol (see Ohi et al., [0152] – [0154]).

As to claims 34-47,50 and 53-60, the portions of these claims which are not program code are taught in the cited references. As for the code itself, the examiner submits that such

limitations would have been obvious to one of ordinary skill in the art as being a design choice in the scope of XML programming. Furthermore, such a layout of code is not a critical feature of the invention.

### *Conclusion*

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Daniels whose telephone number is (571) 272-7362. The examiner can normally be reached on 8:00 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Application/Control Number:  
10/738,475  
Art Unit: 2622

Page 8

11/30/2007

  
TUAN HO  
PRIMARY EXAMINER